

EXECUTIVE OFFICER SUMMARY REPORT
October 12, 2005

ITEM: 11

SUBJECT: STATUS REPORT: Staff and the Riverside County MS4 Permittees will update the Regional Board on the Permittees' progress in implementing the storm water programs prescribed by Order No. R9-2004-001, which was adopted by this Regional Board in July 2004 (Megan Quigley).

PURPOSE: To provide the Regional Board with a status report on Permittee compliance and for the Permittees to provide an update on their progress in implementing Order No. R9-2004-001.

DISCUSSION: Order No. R9-2004-001 is a third-term NPDES permit for discharges of urban runoff from the municipal separate storm sewer systems (MS4s) draining the Santa Margarita watershed portion of Riverside County. The Permittees include the cities of Murrieta and Temecula, the County of Riverside and the Riverside County Flood Control and Water Conservation District. The Order was adopted at the June 14, 2004 Regional Board meeting.

Order No. R9-2004-001 required each Permittee to prepare an Individual Storm Water Management Plan (SWMP) that describes all activities the City has undertaken or is planning to undertake to implement the requirements for addressing urban runoff from construction sites, new development sites, industrial and commercial facilities, municipal facilities, and residential areas. The Order also requires the preparation of a Watershed SWMP, which is the written account of all area-wide and watershed-wide programs and activities conducted collectively by the Permittees. In accordance with Section E. of the Order, the Individual and Watershed SWMPs were to be fully developed and implemented by July 14, 2005 (Supporting Document No. 2 is an excerpt of Section E).

On July 15, 2005, the Permittees submitted their Individual SWMP documents and a document entitled, *Riverside County Drainage Area Management Plan, Santa Ana and Santa Margarita Regions* (DAMP).

The Regional Board reviewed these documents for compliance with Order No. R9-2004-001 and then, on August 31, 2005, met with the Permittees to discuss the results of the initial review. This discussion clarified several issues and revealed the following major omissions or deficiencies in the SWMP and the DAMP documents that could be considered, if left unaddressed, violations of Order No. R9-2004-001.

- Failure to fully comply with the Watershed SWMP requirements in Section K of the Order (all Permittees).
- Failure to require specific minimum BMPs at construction sites (all Permittees except the County).
- Failure to fully comply with the requirement to control post-development urban runoff discharge velocities, volumes, durations, and peak rates to maintain or reduce pre-development downstream erosion, and protect stream habitat (all Permittees).
- Failure to develop a complete prioritized list of industrial and commercial facilities (County).

Letters identifying these omissions and deficiencies were sent to the Permittees on September 28, 2005 (Supporting Document No. 3). The letters request that the Permittees submit a report by November 7, 2005 on the actions taken to address the deficiencies and notify them that if the potential violations are not addressed in the report, enforcement action may be appropriate.

A technical report containing more detailed information regarding this item and the status of Permittee compliance will be provided in the second mailing to the Board members.

KEY ISSUES:

With the exception of the Watershed SWMP requirements, the Permittees have made significant progress in the development of their programs to address urban runoff in accordance with Order No. R9-2004-001.

LEGAL CONCERNS:

None

**SUPPORTING
DOCUMENTS:**

- 1) Map of the Permitted Area
- 2) Excerpts from Order No. R9-2004-001:
 - Section E, SWMP requirements
 - Section K, Watershed SWMP requirements
 - Attachment D, guidelines for SWMP preparation
- 3) September 28, 2005 letters to the Permittees Regarding the SWMP and DAMP documents.

RECOMMENDATION: This is an informational item only.